

LABOR SERVICES DIVISION[875]

Adopted and Filed Emergency After Notice

Rule making related to conveyances

The Elevator Safety Board hereby amends Chapter 72, “Conveyances Installed On or After January 1, 1975,” and Chapter 73, “Conveyances Installed Prior to January 1, 1975,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 89A.3.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 89A.

Purpose and Summary

These amendments extend a deadline for upgrading safety features on certain older elevators.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on May 20, 2020, as **ARC 5040C**. No public comments were received. No changes from the Notice have been made.

Reason for Waiver of Normal Effective Date

Pursuant to Iowa Code section 17A.5(2)“b”(1)(b), the Board finds that the normal effective date of this rule making, 35 days after publication, should be waived and the rule making made effective on June 25, 2020, because the delay confers a benefit on the building owners. The purpose of these changes is to delay enforcement of the American Society of Mechanical Engineers’ A17.3 Safety Code for Existing Elevators and Escalators. Due to the COVID-19 pandemic, many businesses have experienced shutdowns and other disruptions that have delayed completion of the required upgrades. As a result, the Board has determined that a one-year enforcement delay is appropriate.

Adoption of Rule Making

This rule making was adopted by the Board on June 24, 2020.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 875—Chapter 66.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making became effective on June 25, 2020.

The following rule-making actions are adopted:

ITEM 1. Amend subrule 72.10(2), introductory paragraph, as follows:

72.10(2) Except as noted in this rule, the American Society of Mechanical Engineers Safety Code for Existing Elevators and Escalators, A17.3 (2011), is adopted by reference with an enforcement date of May 1, ~~2020~~ 2021.

ITEM 2. Amend subrule 73.1(3), introductory paragraph, as follows:

73.1(3) Except as noted in this rule, the American Society of Mechanical Engineers Safety Code for Existing Elevators and Escalators, A17.3 (2011), is adopted by reference with an enforcement date of May 1, ~~2020~~ 2021.

ITEM 3. Amend subrule 73.1(4) as follows:

73.1(4) The American Society of Mechanical Engineers Safety Code for Elevators and Escalators, A17.1-2013/CSA B44-13 (2013), Rule 2.14.7.1.4, concerning car top lighting and car top electrical outlets, is adopted by reference with an effective date of May 1, ~~2020~~ 2021. However, if a car top already has a single outlet, installation of a duplex outlet will not be required.

ITEM 4. Amend subrule 73.1(5) as follows:

73.1(5) Rules 875—73.2(89A) to 875—73.6(89A), 875—73.9(89A) to 875—73.17(89A), 875—73.19(89A), 875—73.22(89A), and 875—73.24(89A) and subrules 73.1(2), 73.7(1) to 73.7(9), 73.7(11), 73.18(1), and 73.18(3) to 73.18(7) shall be superseded by corresponding provisions of A17.3 (2011) on May 1, ~~2020~~ 2021.

[Filed Emergency After Notice 6/24/20, effective 6/25/20]

[Published 7/15/20]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/15/20.